

**FILED**

**JUN 26 2013**

**New Jersey State Board of  
Massage and Bodywork  
Therapy Examiners**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MASSAGE AND BODYWORK  
THERAPY

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IN THE MATTER OF THE  
APPLICATION OF

CHAO LIN FENG

TO PRACTICE MASSAGE ANDDD  
BODYWORK THERAPY IN THE  
STATE OF NEW JERSEY

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FINAL ORDER OF  
DENIAL OF CERTIFICATION/  
LICENSURE

This matter was opened to the Massage, Bodywork and Somatic Therapy Examining Committee (the Committee) upon receipt of information which the Board of Massage and Bodywork Therapy has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Chao Lin Feng submitted an application for certification dated March 16, 2012.
2. Ms. Feng revealed on her application, and the Criminal History Background Check also revealed, that she had been arrested on June 19, 2009 on charges of loitering for the purpose of prostitution, and was convicted on March 17, 2010 of a local ordinance violation, for which she had been assessed \$1,033 in

finest and costs.

3. In a letter dated July 20, 2012, respondent was asked to provide, inter alia, a narrative statement explaining the facts and circumstances that led to her arrest, and a copy of the transcripts of sentencing from her appearance in court on March 17, 2010. A response was received, which did not include the transcripts of the court appearance. Moreover the narrative statement did not explain why she had been arrested on prostitution-related charges.

4. A follow-up letter was sent by certified and regular mail on or about October 18, 2012, asking again for the transcripts of her court appearance, and a more detailed narrative statement. The certified mailing was returned, unclaimed. The regular mailing of the letter was not returned. The transcripts have not been provided, nor has a more detailed narrative statement been supplied.

#### CONCLUSIONS OF LAW

1. Ms. Feng's failure to respond to these inquiries on behalf of the Board constitutes a failure to cooperate within the intendment of N.J.A.C. 13:45C-1.2, -1.3, subjecting the applicant to denial of her request for certification/licensure pursuant to N.J.S.A. 45:1-21(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on April 24, 2013,

provisionally denying Ms. Feng's application for certification/licensure. A copy of the Order was forwarded to the applicant by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless the applicant requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

Although the Provisional Order was sent to the applicant's address of record with the board, the record reflects that the certified mailing of the order was returned, unclaimed. The regular mailing was not returned. No response has been received to date. Accordingly, the Board determined that service had been effected, inasmuch as the mailings had been sent to the applicant's address of record. The Board further determined that as no material discrepancies had been raised with respect to the findings of fact and conclusions of law of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

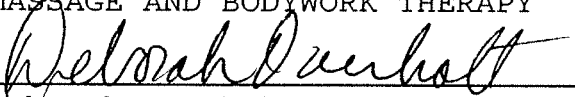
IT IS on this 26<sup>th</sup> DAY of June , 2013,

ORDERED that:

1. Ms. Feng's application for certification as a Massage, Bodywork and Somatic Therapist in New Jersey, which as of September 4, 2012 is deemed to constitute an application for licensure by the Board, is hereby denied.

NEW JERSEY STATE BOARD OF  
MESSAGE AND BODYWORK THERAPY

By:

  
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Deborah Overholt  
Chairperson